REMARKS

Claims 1-23 have been examined. New claims 24 and 25 have been added to further describe the patentable features of the present invention. Claims 2 and 8 have been canceled without prejudice or disclaimer. Applicants reserve the right to pursue claims 2 and 8 in a divisional or continuation application.

I. Claim Rejections - 35 U.S.C. § 102

Claims 1 and 18-20 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Imaeda (US Patent 5,969,749). Claim 1 has been amended to incorporate the features of claim 1. Therefore, the rejection is moot and should be withdrawn.

II. Claim Rejections - 35 U.S.C. § 103

In View of Imaeda and Sawachi

Claims 2, 14 and 21-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Imaeda in view of Sawachi (US Patent Application Publication No. 2003/0011704). As noted above, claim 1 has been amended to incorporate the features of claim 2. Therefore, Applicants traverse the rejection based on the following comments, in view of amended claim 1.

A. Claim 1

Claim 1, as amended recites:

> a display data generating section which generates first display data in a general use mode in which a TV telephone function is not used;

a TV telephone processing section which generates second display data in a TV telephone use mode in which the TV telephone function is used;

a display unit which displays inputted display data;

a first switch provided among said display data generating section, said TV telephone processing section and said display unit;

a control section which controls said first switch to connect said display data generating section and said display unit in said general use mode such that said first display data is supplied to said display unit and to connect said TV telephone processing section and said display unit in said TV telephone use mode such that said second display data is supplied to said display unit,

a power source; and

a second switch provided between said TV telephone processing section and said power source,

wherein said control section controls said second switch to disconnect said power source from said TV telephone processing section in said general use mode and to connect said power source from said TV telephone processing section in said TV telephone use mode, and

wherein the TV telephone use mode is enabled when image data is transmitted and received together with a communication sound, and the second display data includes a motion image which is always displayed when the TV telephone mode is enabled.

Imaeda relates to a communication apparatus having a monitor and speakers which receive a TV video and audio signal from a TV antenna in a non-communication state and receive video images and audio from a communication partner in a communication state. Thus, the monitor is shared by both states. However, Imaeda provides no teaching as to how the power is managed within the system.

Sawachi relates to a digital camera that can be used in connection to a mobile phone such that the battery mounted in each device is shared with the other to allow power to be supplied between the devices, and to allow both devices to be used for longer hours. However, the digital camera and the mobile phone in Sawachi have no common use of display and Sawachi merely teaches turning off a camera manually via a switch SW17 such that power to the digital signal processor of the camera is interrupted. Sawachi does not teach turning off a TV telephone processing section while in a general use mode in combination with Imaeda, as claimed in claim 1.

The Examiner acknowledges that Imaeda fails to teach the claimed power source and second switch, wherein said control section controls said second switch to disconnect said power source from said TV telephone processing section in said general use mode and to connect said power source from said TV telephone processing section in said TV telephone use mode. However, the Examiner asserts that Sawachi corrects this deficiency. Applicants respectfully disagree.

According to claim 1, the TV telephone processing section generates second display data in a TV telephone use mode in which the TV telephone function is used. The Examiner asserts that the video decoding circuit 36 of Imaeda teaches the TV telephone processing section of claim 1. The video decoding circuit 36 of Imaeda decodes encoded video information from a

communication partner and supplies the decoded video information to the monitor 20 (col. 3, lines 20-27). Imaeda further discloses a camera 12 for photographing the user and inputting a video image (col. 2, line 67 to col. 3, line 2).

Switch SW17 of Sawachi, on the other hand, merely relates to the on/off switch of a camera for turning on/off the main power supply of the camera 10 (paragraphs 34 and 59). More specifically, SW17 is turned on for supplying power to the digital signal processor (DSP) 102 of the camera 10 (paragraph 59, 68 and 69). However, it appears that switching on/off the camera 12 of Sawachi, similar to that taught in Sawachi, would have little effect on preventing the video decoding circuit 36 of Imaeda from drawing power from a power source, even when the video decoding circuit 36 is not in use. That is because neither Imaeda nor Sawachi teach or fairly suggest disconnecting the video decoding circuit 36 from a power supply when it is not in use in order conserve a battery of the TV telephone processing section or a power source being supplied thereto. In other words, no suggestion exists in the cited references that the switch SW17 of Sawachi would be applied to anything other than a camera, or that the video decoding circuit 36 of Imaeda can be disconnected from a power source as claimed in claim 1.

In addition, even if the camera 12 of Imaeda is turned off, there is no indication that communication (i.e., the communication state or TV telephone use mode) has stopped or that non-communication (i.e., the general use mode) has begun, since the video decoding circuit 36 relates to decoding encoded video information from a communication partner. Thus, even if a camera 12 is not being used, communication may still be performed. Nothing in the cited art suggests otherwise. For example, since the communication control circuit 72 of Imaeda is used for both the communication state and the non-communication state, it is difficult to stop power

supply to the video decoding circuit 36 even when the TV telephone function is not used. Sawachi fails to correct this deficiency.

Furthermore, Sawachi teaches that the object is to provide a digital camera that can be used in connection to a mobile phone, wherein even if a battery of either the mobile phone or the digital camera is drained, a power supply is shared from the other device to allow use of both devices (paragraphs 6 and 78). Thus, even if the switch SW 17 is switched off in order to disconnect the DSP 102 of the camera 10 from a power supply, the mobile phone may still drain the battery 26 of the camera 10 when it is in need of power to maintain its functions (paragraph 78). That is, even if the camera 10 is off, power may still be drawn therefrom. Thus, switching the switch SW 17 off does not prevent power from being consumed from the battery 26 of the camera 10. Similarly, video decoding circuit 36 of Imaeda may draw power even when camera 12 is switched off or when the system is in a non-communication state. The Examiner fails to show how modifying Imaeda with the features of Sawachi teaches the features recited in claim 1.

Additionally, Sawachi clearly teaches that the switching of switch SW 17 is manual (Fig. 1 and paragraphs 34, 59, 68 and 69). That is a user decides when to switch the camera on or off for taking pictures, etc. Claim 1 requires that **the control section controls said second switch** to disconnect said power source from said TV telephone processing section in said general use mode and to connect said power source from said TV telephone processing section in said TV telephone use mode. The decision in In re Bell makes clear that method steps such as those performed by an operator, do not establish the presence of elemental features of claims for a composition, or an apparatus. In re Bell, 26 USPQ2d 1529 (Fed. Cir. 1993); see also Hewlett-Packard Co. v. Mustek Systems Inc., 67 USPQ2d 1825, 1829-30 (CA FC 2003). That is, the

intervening operations performed by a user cannot teach an element of a claimed apparatus. Sawachi fails to teach or suggest that switch SW 17 is controlled by a control section.

In view of the above, Imaeda, alone or in combination with Sawachi, fails to teach or suggest each and every feature of claim 1. Therefore, claim 1 should be patentable for at least this reason.

B. Claims 14 and 23

Claim 14 recites that "said second switch is **automatically switched in conjunction with said first switch in response to a selected mode**, wherein said selected mode is said general use mode or said TV telephone use mode." The Examiner concedes that Imaeda fails to disclose the features of claim 14, but asserts that Sawachi does. As noted above in conjunction with claim 1, the Examiner asserts that switch SW 17 of Sawachi teaches the claimed second switch. The Examiner cites paragraphs 59 and 71 of Sawachi for teaching this feature. In conjunction with Fig. 1, paragraph 59 of Sawachi merely teaches that switch SW 17 is switched to interrupt power supplied to the DSP 102 of the camera 10. Furthermore, paragraph 71 of Sawachi makes no reference to the switch SW 17, i.e., the alleged claimed second switch. Thus, the Examiner fails to demonstrate how the switching of an on/off switch SW 17 correlates to the switch SW 17 being **automatically switched in conjunction with said first switch in response to a selected mode**, the first switch provided to connect said display data generating section and said display unit in said general use mode such that said first display data is supplied to said display unit and to connect said TV telephone processing section and said display unit in said TV telephone use mode such that said second display data is supplied to said display unit. That is, *even if* Imaeda could be modified to include switch SW 17, no teaching exists for automatically switching switch SW 17 in conjunction with the switch 64, i.e., the alleged claimed first switch, of Imaeda

in response to a selected mode. Furthermore, there is not teaching or suggestion within the cited references as to how the switch SW 17 of Sawachi would relate to the switch 64 of Imaeda. There is simply no teaching within the reference for making this combination.

For example, switch SW17 of Sawachi merely relates to the on/off switch of a camera for turning on/off the main power supply of the camera 10 (paragraphs 34 and 59). More specifically, SW17 is turned on for supplying power to the digital signal processor (DSP) 102 of the camera 10 (paragraph 59, 68 and 69). Sawachi clearly teaches that the switching of switch SW 17 is **manual** (Fig. 1 and paragraphs 34, 59, 68 and 69). That is a user decides when to switch the camera on or off for taking pictures, etc. Claim 1 requires that **the control section controls said second switch** to disconnect said power source from said TV telephone processing section in said general use mode and to connect said power source from said TV telephone processing section in said TV telephone use mode. Also, claim 14 requires that the second switch is **automatically switched in conjunction with said first switch in response to a selected mode**, wherein said selected mode is said general use mode or said TV telephone use mode. The decision in In re Bell makes clear that method steps such as those performed by an operator, do not establish the presence of elemental features of claims for a composition, or an apparatus. In re Bell, 26 USPQ2d 1529 (Fed. Cir. 1993); see also Hewlett-Packard Co. v. Mustek Systems Inc., 67 USPQ2d 1825, 1829-30 (CA FC 2003). That is, the intervening operations performed by a user cannot teach an element of a claimed apparatus. Sawachi fails to teach or suggest that switch SW 17 is controlled by a control section or that switch SW 17 is controlled to be automatically switched in conjunction with another switch.

In view of the above, Imaeda, alone or in combination with Sawachi, fails to teach or suggest each and every feature of claim 14. Therefore, claim 14 should be patentable for at least this reason. Also, claim 23 should be patentable for similar reasons set forth above.

C. Claims 21 and 22

Applicants submits that claims 21 and 22 are patentable at least by virtue of their respective dependencies.

In View of Imaeda and Fernandez

Claims 3-5, 7-10, 13, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Imaeda in view of Fernandez et al. (US Patent 6,339,842), herein Fernandez. Applicants traverse the rejection based on the following comments.

A. Claim 3

Claim 3 recites:

> wherein said TV telephone processing section comprises:
>
> a first memory;
>
> a first input circuit connected to said display data generating section, wherein said first input circuit receives said first display data from said display data generating section, carries out a first converting process to said first display data to generate converted display data, and to store in said first memory;
>
> a motion picture CODEC circuit which receives compressed motion picture data from a counter end, expands said received compressed motion picture data into expanded motion picture display data, and stores in said first memory;

a camera;

a second input circuit connected to said camera, wherein said second input circuit receives motion picture display data from said camera, carries out a second converting process to said motion picture display data to generate converted motion picture display data, and to store in said first memory; and

a combining circuit which reads out said converted display data, said expanded motion picture display data and said converted motion picture display data from said first memory to combine into said second display data, and outputs said second display data to said first switch. (emphasis added)

With regard to "a first input circuit connected to said display data generating section, wherein said first input circuit receives said first display data from said display data generating section, carries out a first converting process to said first display data to generate converted display data, and to store in said first memory," the Examiner asserts that TV reception circuit 60 of Imaeda teaches this feature. However, the above feature of claim 3 relates to **the TV telephone processing section**, which the Examiner asserts is taught by the video decoding circuit 36 of Imaeda in the rejection of claim 1. The TV reception circuit 60 of Imaeda, however, is not related to the video decoding circuit 36. That is, the TV reception circuit 60 does not provide a signal to the video decoding circuit 36, but merely inputs a TV reception signal to the monitor 20 when in a non-communication state (col. 3, line 24 to col. 4, line 23; col. 6, lines 35-67; and Fig. 7). Furthermore, the TV reception circuit 60 is not utilized during the communication state (i.e., when video from the video decoding circuit 36 is displayed on the

monitor 20), and thus, would not be combined with other types of display data during the communication state.

With regard to "a second input circuit connected to said camera, wherein said second input circuit receives motion picture display data from said camera, carries out a second converting process to said motion picture display data to generate converted motion picture display data, and to store in said first memory," the Examiner asserts that the video data from camera 12 of Imaeda teaches this feature. However, Imaeda teaches that a video encoding circuit 32 connected to camera 12, encodes an output video image of the camera 12 for communication (col. 3, lines 15-17). In other words, the video data from camera 12 is sent to the communication partner through the communication control 72 and the communication line (Fig. 7). Imaeda does not teach or suggest that the video data from camera 12 is input to the video decoding circuit 36, or even to the monitor 20 for that matter. Instead, this video data is sent to a user at the other end of the communication line. Thus, there is no teaching to combine the video data from camera 12 with the video data from the video decoding circuit.

In view of the above, Fernandez fails to correct the deficiencies of Imaeda. Therefore, Imaeda, alone or in combination with Fernandez, fails to teach or suggest each and every feature of claim 3.

B. Claim 7

Claim 7 has been amended to incorporate the features of claim 8. Therefore, Applicants submit that claim 7 is patentable for reasons similarly presented in conjunction with claim 1. That is, the cited references fail to teach or suggest "(e) supplying electric power for said TV telephone function in said TV telephone function mode; and (f) stopping the supply of the electric power in said mobile phone function mode, wherein the TV telephone function mode is

enabled when image data is transmitted and received together with a communication sound, and the second display data includes a motion image which is always displayed when the TV telephone mode is enabled."

Furthermore, the rejection is at least deficient in that the Examiner points to the rejection of claim 2 as a basis of the rejection for claim 8, however, the rejection of claim 2 relies on Sawachi to correct deficiencies of Imaeda. The current rejection of claim 8 (and claim 7) is deficient because the Examiner only cites Imaeda and Fernandez as a basis for the rejection.

C. Claim 9

Applicants submit that claim 9 is patentable for reasons similarly presented in conjunction with claim 3.

D. Claim 17

Claim 17 recites "supplying electric power for said TV telephone function automatically occurs in conjunction with said connecting said second display data to said display." Therefore, Applicants submit that claim 17 is patentable for reasons similarly presented in conjunction with claim 14.

Furthermore, the rejection is at least deficient in that the Examiner points to the rejection of claim 14 as a basis of the rejection for claim 17, however, the rejection of claim 14 relies on Sawachi to correct deficiencies of Imaeda. The current rejection of claim 17 is deficient because the Examiner only cites Imaeda and Fernandez as a basis for the rejection.

E. Remaining claims

Applicants submits that the remaining claims are patentable at least by virtue of their respective dependencies.

In View of Imaeda, Fernandez and Allen et al.

Claims 6 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Imaeda in view of Fernandez, further view of Allen et al. (US Patent Application Publication No. 2003/0041333), herein Allen. However, Allen does not correct the deficiencies of Imaeda, Sawachi, and Fernandez with respect to claims 1, 3, 7 and 9. Therefore, claims 6 and 11 should be patentable at least by virtue of their respective dependencies.

In View of Imaeda and Yap

Claim 12 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Imaeda in view of Yap et al. (US Patent Application Publication No. 2003/0043260), herein Yap. However, Yap does not correct the deficiencies of Imaeda and Sawachi with respect to claim 1. Therefore, claim 12 should be patentable at least by virtue of its dependency upon claim 1.

In View of Imaeda, Fernandez and Yap

Claim 15 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Imaeda in view of Fernandez, in view of Yap. However, Yap does not correct the deficiencies of Imaeda, Sawachi and Fernandez with respect to claim 7. Therefore, claim 12 should be patentable at least by virtue of its dependency upon claim 7.

III. New claims

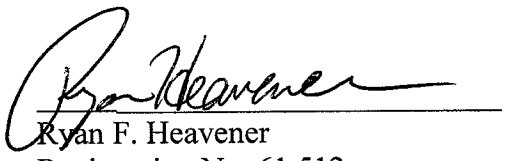
By this Amendment, Applicants have added new claims 24 and 25 to further define the claimed invention. Applicants respectfully submit claims 24 and 25 recite additional features which are not taught or suggested by the prior art of record.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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